THE TIMES FOUNDED 1886. THE DISPATCH FOUNDED 1:30.

WHOLE NUMBER 18,274.

RICHMOND, VA., THURSDAY, JUNE 2, 1910.

THE WEATHER TO-DAY-Cloudy.

PRICE TWO CENTS,

The Times-Dispatch

prints it first."

# OF SUPREME COURT

Judges" to Understand Provision.

ATTACK DECREE AS "REWRITTEN"

Despite Torrid Appeal, Amendment Offered by Texan Is Defeated, Senate Refusing to Challenge Court to Another Decision in Railroad Transportation Case.

Washington. D. C., June 1.—By a ote of 25 to 31 the Senate to-day fused to challenge the Supreme our; of the United States to another

Court of the United States to another decision regarding the right of commen carrièrs to transport commodities produced by themselves.

The vote was taken upon an amendment to the railroad bill offered by Senator Balley, of Texas, making it uniawful for any railroad company to transport from one State to another "any article or commodity many."

diction of the Interstate Commerce
Commission, which has been noticeable
hroughout the consideration of the
bill, found expression in two amendnents, one offered by Senator Simmons, of North Carolina, and the other
by Senator Burton, of Ohie, both of
which found acceptance.

The first was presented as a proviso
meaning the connection with the long and short

in connection with the long and short haul provision heretofore adopted. It provides "that when application is made to the commission by a carrier to fix a lower rate for longer than for shorter distances on account of water competition, said application shall not be granted if the commission, after investigation, shall find that the lower rate asked for will destray water competition." connection with the long and short lestroy water competition. Boat Lines Driven Out.

Mr. Simmons, in support of his amendment, gave instances in which he said railroad companies had put iota to dam the torrent of selling or

lowing is the text of the Burton amendment:

"Whenever a railway or railways in competition with a water route or routes, shall reduce the rates on the carriage of any species of freight it shall not be permitted to increase such rates unless, after hearing by the Interstate Commerce Commerce Towns of the carriage of the rain by the Interstate Commerce Commerce Shall be former to the carriage of shall not be permitted to increase such rates unless, after hearing by the Interstate Commerce Commission, it shall be found that such proposed increase rests upon changed conditions other than the elimination or the decrease. crease in water competition, and the said commission is hereby given the right to prescribe minimum railroad rates on lines competing with water ways whenever, in its opinion, the object of the railroad or railroads in
reducing rates is to destroy waterway
competition."

Mr. Burton had not proceeded far
with his explanation of his amendwant when he was stored by some the competition."

ATLANTIC CLAIMS TOLL

with his explanation of his amend-ment when he was stopped by an an-nouncement by Mr. Elkins, in charge of the bill, that he would accept the provision. Nevertheless, the roll was called, resulting 53 to 1.

Mr. Bailey, in speaking in support of his amendment, freely criticized the decision of the Supreme Court, out of which the amendment grew. He went

so far as to express the opinion of the court as promulgated had been a re-written document. He explained that this conclusion had been reached through his knowledge of literary so far as to express the opinion of the information."

Wants Direct Decision.

Wants Direct Decision.
His purpose, he said, was to divorce transportation from production, and he added that he had made a special effort to draw the provision so as to render it impossible for the court to

render it impossible for the court to evade a direct decision on the right of Congress thus to legislate. "If they can get around this amend-ment, they will show themselves pos-sessed of an ingenuity that will sur-prise me." he seld. rise me," he said. Mr. Bailey said he had been careful

to confine his prohibition to the car-rier and not to extend it to the com-

the power of Congress even Doubting the power of Congress even nder the commerce clause of the Contitution to interdict interstate commerce in a wholesome and merchanthie article, he said he had not unortaken to prevent the shipment of a produced by a common carrier if transported by another carrier. (Continued on Fifth Page.)

Bailey Wants "Even the Wall Street Is Bit-Beckemeyer Called to Secretary of Associated ter in Its Denunciation.

> EXCHANGE FLOOR BECOMES BEDLAM

Opening Hour of Market Is Panicky and Demoralization Soon Reigns-Prices Fall Away Under Heavy Pressure and New Trading Record Is Established.

Senator Bailey, of Texas, making it unlawful for any railroad company to transport from one State to another "any article or commodity manufactured, mixed or produced by it or under its authority or by any corporation, joint stock company or partnership in which said railroad company holds, owns or controls directly or indirectly any stock or interest."

The amendment was intended to remedy the supposed defect in the commodities clause of the Hepburn act of 1906, out of which grew the famous decision of the Supreme Court of the United States, in which the government undertook to prosecute a number of the roads engaged in the mining of anthracite coal in Pennsylvania. The court held the law to be constitutional, but materially limited its application.

"Fing" at the Court.

The original provision was drawn by Senator Bailey, and he sought by to-day's amendment to force the court to face squarely the question of right of Congress to prohibit railroad companies from transporting commodities produced by themselves. Mr. Bailey said that it was his intention to make the language — the present provision was defeated 25 to 30. A modified provision, by Mr. Simmons, requiring such valuation of all railroad provision, by Mr. Simmons, requiring such valuation of the Interstate Commerce Commission, which has been noticeable throughout the consideration of the bill, found expression in two amendment transportation under the jurisdiction of the Interstate Commerce Commission, which has been noticeable throughout the consideration of the bill, found expression in two amendments. All the provision has lost, 28 to 20.

The tendency towards bringing water transportation under the jurisdiction of the Interstate Commerce Commission, which has been noticeable throughout the consideration of the bill, found expression in two amendments, one offered by Senator Sim-

and London transactions up to 1 o'clock totalled \$5,000. The British bought heavily of Steel, Amalgamated Copper, Rock Island and the Harriman issues. All through Wall Street were heard bitter denunciations of those responsible for the leak from Washington as to the proposed rate attack, and brokers were unanimous in declaring that there would have been no trouble in the Street had this news come through the regular channels and at the regular time. nels and at the regular time.

nels and at the regular time.

Efforts to Stem Tide,
An effort was made at the opening to stem the seiling tide that had set in yesterday. Support offered to Reading, which declined 5½ points yesterday, was withdrawn this morning as if it burnt, that stock scaling down two points under almost the first onslaught.

There were favorable rumors of all

The bottom was apparently found around 12 o'clock, when St. Paul touched 1297-8, Northern Pacific, 125; Union Pacific, 175; Steel, 781-4; Southern Pacific, 1183-4; Consolidated Gas, 135; American Swelting, 741-4; Copper, 653-4; Baltimore and Ohio, 1091-4, and Chesapeake and Ohio, 82.

The market made a vigorous recovery during the final hour and prices

ory during the final hour, and prices at the finish had rallied on an aver-

Six Vessels Are Lost and Eight Lives
Halifax. N. S., June 1.—Thick for and a quickly born southwesterly gale resulted in the wrecking of six vessels and the loss of eight men at various points along the rocky North Atlantic coast last night and early to-day.

While most of the crew of twenty-five men were asleep below decks, the French brigantine Mauve, a fishing vessel, piled up in the fog on Point Blanche, at the entrance of St. Pierre Harbor, Miquelon, this morning, and six men on deck were hurled overboard and drowned. The remaining nineteen made their way to shore in small boats and rafts. The Mauve is believed to be a total loss.

The Norwegian bark Borghild was driven on Castor Ledges, off Port Blokerton, N. S., and at once began to go to pices in the heavy sea. The crew of nine men launched their small boats, but all of them were battered to pieces on the rocks and two of the men were either drowned or hurled to death on the ledges. The remaining seven, clinging to the wreekage of their boats, were rescued by fishermen.

Half a mile inside of Fort Nova, N.

seven, clinging to the wreckage of their boats, were rescued by fishermen.

Half a mile-inside of Port Nova, N. S., the British, steamer Ben Cruechan, bound from Baltimore to Chatham, N. B., struck the heach so hard that it is doubtful if she can be saved. Her crew of twenty-six men were rescued. Captain Beawell, it is said, mistook the Louisburg fog Siren for the Scattarie, and steered a wrong course, landing in the breakers. Several stemmers and tugs have gone to the scene of the wreck.

wreck.

The tug Pejepscot, with two barges, went ashore at Cape Spancer. All the crews escaped. One barge may be saved, but the other and the tug probably will go to nieces on the rocks.

## FREE INCRITICISM WASHINGTON LEAK GRAND JURY WILL CHARITY WARDS CAUSE OF TROUBLE HEAR GRAFT STORY ACCUSE BUCHANAN

Testify Before Bribery Investigators.

HE WILL SUPPORT WHITE'S"EXPOSE

Believed That His Evidence Will Help to Drive Home Charge of Corruption Against Senator Lorimer and Illinois Legisators-"Lie" Passed in Grand Jury Room,

niture Company, had "framed up" the accusations against him, and that State's Attorney Burke had had repeated conferences with Johnston's business rivals.

This statement led to the retort discourteous from Mr. Burke and the order that John ton leave the jury room. No action was taken by the jury before adjournment.

he said. "I knew the indictment charging me with perjury was a bluff, and it didn't frighten me. But when they asked me whether I was paid for voting for Senator Lorimer, I had to tell the truth."

"Taking Care of the Boys."

New York, June 1.—That the late
H. O. Havemeyer, former president of
the American Sugar Refining Company,
gave directions two weeks before his
death in 1907 to "take care of the
boys" was part of the testimony heard
testay in the trial of three officials o-day in the trial of three officials of the company, charged with complic-

of the company, charged with complicity in a conspiracy to defraud the government of customs dues.

Ernest W. Gerbracht, refinery superintendent; James F. Bendernagel, former cashier of the refinery, and Charles P. Heike, secretary-treasurer of the company, are the three on trial. "Take care of those boys; get counsel for them; see them through it," were the orders, Gerbracht said, he received from Havemeyer when he in.

examination.

Gerbracht was still on the stand

when adjournment was taken

Ex-Congressman Dead. Deadwood, S. D., June 1.—Ex-Con-gressman Freeman Knowles died here to-day of pneumonia, aged sixty-four years. For twenty years he had edited newspapers here. He was widely known as a Socialist.

Marries His Leading Woman. Chicago, Ill., June 1.—William Nor-rls, the actor, was married to-day to his leading woman, Mabel Mordaunt.

Charities Assailed in Sworn Statement.

FULL INQUIRY IS EXPECTED

Officials Unwilling to Discuss Nature of Affidavits, and Accused Man Is at His Country Home - State Board of Charities Will Not Act.

Record Is Established.

Grand Jury Room.

Springfield. Ill. June 1.—Official agreement of the stock market to-day Prices fell away under a pressure of heavy selling begun yesterday at the first rumor that United States Judge David by P. Dyer, of Hamibal, Mo., had restrained twenty-five Western rail.

Foods (rom increasing their freight rates.)

Losses of from one to five points as bediam as the first rotes. The control of the stock market to-day in the legislative pribative of the points are been selling or freight rates.

Losses of from one to five points as bediam as the first rotes. The control of the points are bediam as the first hour of selling in the selling or freight rates.

Losses of from one to five points as bediam as the first rotes. The control of the selling in St. Paul was been, the control of the points are bediam as the first hour of selling in St. Paul was been, the control of the points and the Hill should be in the caption of the price sentiative of the pribative first points and the Hill should be in the caption with the selling in St. Paul was beavy, thousand and five thousand share blocks as being dumped in swift succession.

It was the first hour of the first hour of selling in St. Paul was been, the control of the first hour of the points and the pribative first p

peated conferences with Johnston's business rivals.

This statement led to the retort discourteous from Mr. Burke and the created in various forms of charity order that John ton leave the jury froom. No action was taken by the jury before adjournment.

Rather Hoodler Than Liar.

Iuka, Ill., June 1.—"I'd rather be known as a boodler than a liar." said State Senator Daniel Holstlaw, in an interview at his home to-day, speaking of his confession to accepting a bribe of \$2.500 as a legislator.

"May be." he continued. "I took the money because I saw every one else doing the same thing—I can't teil a lie.

"I don't know—I don't understand," he said with a helpless air, answering a question of why he, a man ownance of the man accept a bribe.

"I don't know—I don't understand," he said with a helpless air, answering a question of why he, a man ownance of the man accept a bribe.

"I one, if not more, of the sworn accept that they sale with a helpless air, answering a question of why he, a man ownance of them. A prominent woman, who is in the had not been officially reported to them. A prominent woman, who is in the had not been informed of them. A prominent woman, who is in the had not been informed of them. A prominent woman, who is interested in various forms of charity to the had not had been informed of them. A prominent woman, who is interested in various forms of charity to the had been informed of them. A prominent woman, who is interested in various forms of charity to the had been informed of them. A prominent woman, who is interested in various forms of charity to the the allegations brought against Mr. Buchanan, and who knew of the affiliations had been informed of them. A prominent woman, who is interested in various formity to the affiliation to take the allegations brought against Mr. Buchanan, and who knew of the affiliation to to make the charges public until to-day, that the had had not heard of any trouble and had not heard of any trouble and had not heard of any trouble and had not heard of any troub

ciated Charities building is kept in nithy condition, and is intested wit vermin. Another statement, whice seems more serious than all the other declares that Mr. Buchanan is guilty of improper conduct towards St. Ursula Lane, better known as "Essie," a wo-man who had accepted the aid of the association.

association,

May Demand Investigation.

In view of the serious nature of the charges it is expected that the board will not pass them by without thorough investigation, and it appears highly probable that Mr. Buchanan himself will demand such an exami-

himself will demand such an examination at once.

There are now in the Associated Charities twelve men and six or seven women, all of whom are being cared for by funds subscribed for purposes of charity. As one man said, it would ill behoove a dependent to complain of the food given him or of the shelter, afforded, but of the other and plain of the food given him or of the shelter afforded; but of the other and more serious charge nothing can be said until the matter is sifted to the bottom and the truth is learned.

Mr. Buchanan has been in Richmena and has been in charge of his present work for five or six years. He was the first man to introduce into Richmena dorganized charity. He is a deep student of sociological problems, and to this subject he has devoted most.

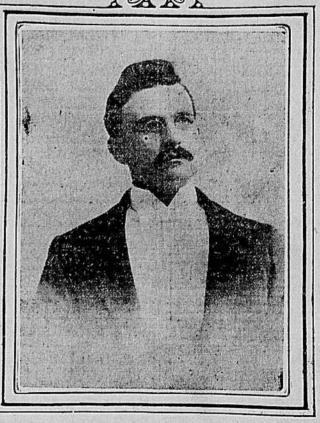
o this subject he has devoted most t his life. The work under his care of his life. The work under his care has grown extensively, and great good has been accomplished. The greatest difficulty met with in the introduction of his system has been to sift out those who were worthy of aid and to give them a helping hand into the level of life, where opportunity could fairly be grassed. fairly be grasped. Has Accomplished Much.

Though the system was new to those who gave habitually to habitual beggars, it worked itself out to appar-

eggars, it worked itself out to apparent success, and people began to see he wisdom of giving only where it was wise to give, to give through a egular and proper channel and to give lims which would put the recipient in position to help himself. As often xplained by Mr. Buchanan, this is the undamental principle of constructive harity—to help a man to help himself, and the work he has been supported by the best and the most prominent the property of the prop beggars, it worked test out appar-ent success, and people began to see the wisdom of giving only where it was wise to give, to give through a regular and proper channel and to give alms which would put the recipient in a position to help himself. As often explained by Mr. Buchanan, this is the fundamental principle of constructive charity—to help a man to help himself. In this work he has been supported by the best and the most prominent people in the city, and the Associated Charittes, under his guiding, has never really lacked for funds with which to carry on its work.

Whether these charges which have

## Annexation Ordinance in Question



JUDGE ERNEST H. WELLS.

## COMPANIES DENY LEADERS DECLARE VIOLATION OF LAW STUART WILL WIN

Railroads Will Bitterly Contest Nominee Himself Joins in Feel-Suit Brought by Gov-

Before Vacation Season.

promulgated by the Western Trunk Line Committee was not binding on the different members without their express

headquarters that the enjoined rates might have been collected at distant points to-day because rescinding or-

ders had not had time to reach them. Railroad officers, so far as they cold, obeyed the court's order, even before service was made. They were greatly surprised at the secrecy with which the government's petition was filed yesterday, and were unprepared

Improvements Held Up.

Improvements Held Up.
Officers said that most of the railroads had anticipated the increased
revenue which the new rates would
bring and had planned extensive improvements, which probably will be
held up pending litigation. One
broker in railroad supplies said that cellations on orders from the railroad companies affected by the injunction.

companies affected by the injunction. The restraining order was placed in the hands of a United States marshal to-night for service to-morrow on three of the companies having general offices in St. Louis.

Copies of the order were sent to-night to Chicago, Kansas City, St. Paul and Parsons, Kan., where general offices of the other twenty-two railroads are situated.

Following the filing to-day of a request to expedite the hearing of the case, it was announced that the judges of the United States Circuit Court—

of the United States Circuit Courtof the United States Circuit court-Adams, Vandevenier, Hook and San-born—may take it up before the va-cation season. In that event the hoar-ing would take place in St. Paul, where the judges are now holding

### LAUGH, IF YOU CAN

COURT'S ORDERS OBEYED CAMPAIGN PLANS DISCUSSED

Hearing of Case May Take Place Headquarters Will Be Opened at

fore August.
Will Canvass District. It is Mr. Stuart's purpose to thoroughly canvass all the counties and to make at least one speech in

each. It has not been yet determined at what point he will make his first public appearance.

From the moment of his arrival here carly this morning until he left on a night train to visit his sister at Wytheville, Mr. Stuart was besieged by callers, and it was with difficulty that he found time to be with his campaign advisers for several hours.

that he found time to be with his cam paign advisers for several hours.

Although no definite plans wermade concerning speaking appoint ments, it was clearly demonstrated it the meeting that Senator Martin, Congressman William A. Jones and for mer Governor Swanson will be asked by the committee to do work for the ticket. They all appeared to be favorites when their names were men. vorites when their names were men vorites when their names were mentioned in the meeting. If the committee goes outside the State for help
it is probable that Champ Clark, Congressman Oille James, of Kentucky,
and Senator "Bob" Taylor, of Tennessee, will be among those who will be
invited to "come over and help."

Reports From Every Section.

Reports were received here to-day
from every county and the city of Bristol, and it was the opinion of Mr. Stuart,
concurred in by Messrs. St. Clair, Ir-

concurred in by Messrs. St. Clair, Ir-vine and other leaders, that the Demo-crats will carry the district by a safe majority

### ABELL BUYS LANDMARK

Norfolk Newspaper Goes to Former Manager of Baldimore Sun. Norfolk, Va. June 1.—The Norfolk Landmark will to-morrow print in

Norfolk, Va., June 1.—The Norfolk Landmark will to-morrow print in part:

"The Norfolk Landmark has been purchased by Charles S. Abell, formerly in charge of the Baltimore Sun. With to-day's issue, Mr. Abell, who is now the president of the Norfolk Landmark Publishing Company, will assume personal management of the paper. S. Nottingham, who has conducted the Landmark successfully for many years and K. Poster Murray will remain with Mr. Abell.

"Charles S. Abell was associated with the Sun for fifteen years in various capacities, the last as manager, which position he held until a few months ago, when the majority interest in the paper was soid.

"The Landmark will be conducted as in the past, along considerate, conservative and independent lines, and will strive unswervingly to serve the people faithfully and fully."

Mr. Abell announces, in conclusion, that the policy of the Landmark shall be the same as that announced in 1337, when his grandfather, A. S. Abell, founded the Baltimore Sun.

The Landmark is regarded as one of the most valuable pieces of newspaper property in the South.

## HUSTINGS COURT, PART TWO, MAY NOT BE VALID

Auditor Marye Holds Up Pay of Judge Ernest H. Wells.

ANNEXATION ACT IS QUESTIONED

Attorney-General Williams Asked to Decide Whether Cities Can Create State Court and Provide for Payment of State Officers Without Legislative Action.

may be called on to consider whether mond, is a legal court; whether Judge Ernest H. Wells is a legal judge; city officials drawing money from the State are properly holding their offices with the Richmond city government, and whether the liquor licenses granted in Washington Ward are constitutional.

Judge Wells himself, with City Attorney Henry R. Pollard, feels satisfied that the annexation ordinance, by virtue of which the court was created, is entirely valid and legal. It was reported on the streets all day yesterday that Attorney-General Samuel W. Williams held a contrary onlings but when

STUART WILL WIN

TO CAMPAIGN PLANS DISCUSSED

CAMPAIGN PLANS SUBMITED

CAMPAIGN PLANS SUBMITED

CAMPAIGN PLANS SUBMITED

This situation opensed to the counties will be maintained in Pulaski, and that speaking will not begin before August

The struggle, and who declare that the party is in fine fighting trim, and that Mr. Stuart's purpose to the counties of will an advance of the city officials may be legally holding office. The cl

not to any court of the city of Richmond.

All May Be Hiegal.

This being the case, perhaps none of the city officials may be legally holding office. The cierk of a court which did not exist could not certify the accounts of witnesses and of sergeants to the Audtor of Public Accounts. Treasurer Pace could not, perhaps, accept revenue for a municipality which did not elect him.

No salary has been drawn by Judge Wells from the State since the consolidation ordinance became effective on April 15. He, with Mr. Pollard, has had a conference with the Attorney-General, the matter being, Judge Wells

General, the matter being, Judge Welli said last night, left open. Since that time many authorities have been looked time many authorities have been looked up, and Judge Wells believes that they show beyond doubt that he is legally the judge of Hustings Court, Part 2.

Mr. Pollard is firmly of the same opinion. He says that decisions have been rendered in other States when courts have been transferred at times of annexation, which have held that the proceeding was regular and legal. There is no doubt in his mind that the consolidation ordinance is entirely There is no doubt in his hind that the consolidation ordinance is entirely valid. This ends the matter so far as the payment of Judge Wells's salary by the city is concerned.

State Pays Portion.

It does not, however, affect the State's It does not, however, affect the State's portion of the compensation. Colonel Marye, who never by any chance pays out a cept of the State's money unless with full legal warrant, will naturally take the advice of the Attorney-General. What that advice will be has not as yet been indicated.

Should Judge Williams rule that the court is not in existence, Judge Wells would proceed to sue out a writ or peremptory mandamus before the Surreme Court of Appeals, to compel

preme Court of Appeals, to the Auditor to issue a warrant upon the Treasurer of the State for his salary. Upon this question the whole salary. Upon this question the whole matter of the ordinance's legality would come up for review. It would not be necessary to have the matter drag along in a lower court, since the Supreme Court has original juris-

diction in all mandamus cases, It is, of course, sincerely hoped by all parties that no litigation or trouble of any sort will ensue, but that it will be found that the ordinance is legal and binding. The enormous number of complications which would otherwise result would seriously hamper the business and legal proceedings of the city for a long time to come.

### "BLACK HAND" VENGEANCE

Mutilisted Body of Young Man Found on Top of Building.

New York, June 1.—A murder, believed to be the result of "Black Hand" vengeance, was uncovered to-day by a young girl who went on an etrand to the roof of the house in which she lives in East 10ist Street, and found the mutilated body of a young man, apparently an Italian, lying there. The man's throat had been twice slashed and his skull crushed. Twe fingers of one hand were severed as he had apparently been trying to ward off a blow rently been trying to ward off a blow. rently been trying to ward off a blow. The body was identified as that of Gluseppe Floric, of New London, Cons.